

# COUNTY OF YORK

## MEMORANDUM

**DATE:** September 25, 2003 (BOS Mtg. 10/21/03)

**TO:** York County Board of Supervisors

**FROM:** James O. McReynolds, County Administrator

**SUBJECT:** Application No. UP-622-03, Colson and Colson Construction Co.

### ISSUE

This application requests a Special Use Permit, pursuant to Section 24.1-306 (category 6, number 2) of the York County Zoning Ordinance, to authorize the establishment of a senior housing-congregate care facility on an 8.23-acre portion of a 10.4-acre parcel located on Fort Eustis Boulevard (Route 105) approximately 240 feet west of its intersection with Route 17. The property is further identified as Assessor's Parcel No. 24-63-2.

### DESCRIPTION

- Property Owner: Memorial Highway Associates (applicant is contract purchaser)
- Location: Fort Eustis Boulevard (Route 105) approximately 600 feet west of its intersection with George Washington Memorial Highway (Route 17)
- Area: 8.2-acre portion of a 10.4-acre parcel
- Frontage: Approximately 770 feet on Fort Eustis Boulevard (Route 105) and Approximately 295 feet on George Washington Memorial Highway (Route 17)
- Utilities: Public water and sewer
- Topography: Flat
- 2015 Land Use Map Designation: General Business
- Zoning Classification: GB – General Business
- Existing Development: None
- Surrounding Development:

North: Clairmont apartment complex (under construction)

East: McDonald's fast food restaurant

South: Veterinary clinic and undeveloped acreage (across Fort Eustis Boulevard)

West: Burnt Bridge Run condominiums

- Proposed Development: 118-unit congregate care senior housing facility

### **CONSIDERATIONS/CONCLUSIONS**

1. Last June the Board amended the Zoning Ordinance to establish definitions, district designations, and performance standards applicable to various types of senior housing – including independent living, congregate care, assisted living, and continuing care retirement communities – and to establish performance standards for such housing. The Zoning Ordinance defines a congregate care facility as a “building or series of buildings containing residential living facilities intended as housing for older persons and which offers the residents of such facility the opportunity to receive their meals in a central dining facility, to receive housekeeping services and to participate in activities, health services, and other services offered through a central management structure/service.” Nowhere in the County is congregate care – or any other type of senior housing – permitted as a matter of right; it can be permitted in the RMF (Residential Multi-Family), LB (Limited Business), GB (General Business), and EO (Economic Opportunity) zoning districts and only upon the approval of a Special Use Permit.
2. The applicant has developed over 250 senior housing projects in the United States (including three in Virginia) as well as Canada, England, and France. The proposed development would be an approximately 40,400-square foot building with 118 suites, including a mix of studio, one-bedroom, and two-bedroom units, none of which would include kitchens. Residents would receive three meals daily served in a common dining room, and other services would include housekeeping, laundry service, private bus transportation, and various activities. The facility would also include a beauty shop for the residents. The proposed gross development density of 14.3 units per acre is within the guidelines of the Zoning Ordinance, which allow densities of up to 20 units per acre for senior housing developments. Access to the development would be provided by an existing entrance on Fort Eustis Boulevard that was established years ago as a joint entrance to serve all the commercial property in the northwest quadrant of the intersection of Route 17 and Fort Eustis Boulevard; currently it serves only the McDonald’s restaurant. Although the subject parcel currently has almost 300 feet of frontage on Route 17, the owner plans to subdivide the property into two parcels, leaving the entire Route 17 frontage to the remaining 2.2 acres that are not part of this application. There is a restricted access easement along the remainder of the property frontage that will prevent the creation of any additional entrances to the property from Fort Eustis Boulevard.
3. The development would be buffered from surrounding development by a 50’ perimeter landscaped buffer surrounding the entire complex, which would be required pursuant to Section 24.1-411(e) of the Zoning Ordinance and is shown on the applicant’s conceptual plan. The proposed development would be surrounded on two sides by multi-family residential development, including Burnt Bridge run to the west and the Clairmont Apartment complex now under construction to the north. A senior housing apartment complex would be compatible with these uses, while the only neighboring commercial development – McDonald’s – would be far enough away to

prevent adverse impacts (noise from the drive-through window, for example) yet close enough to provide convenient access to residents within walking distance. Wetlands on the western portion of the site provide an even greater buffer of approximately 250 feet between the proposed facility and Burnt Bridge Run. I recommend that the developer be required to provide some form of pedestrian accommodation from the facility to the McDonald's property to provide residents with safe and convenient access to this neighboring business; this would prevent older pedestrians from having to share the entrance road with cars and trucks.

4. The Comprehensive Plan designates this area for General Business development while noting that the intersection of Route 17 and Fort Eustis Boulevard could be appropriate for some type of mixed-use development. In reference to this area, the plan states, "This underdeveloped node is designated in the Route 17 Corridor Plan as a potential 'village center.' It is centrally located at the intersection of two major arterial highways. The four quadrants comprising the intersection could lead to future development as a pedestrian-oriented mix of uses anchored by commercial development, some of which is already in place." Although the proposed congregate care facility is basically a residential development, it does have commercial elements (e.g., deliveries, 25-30 on-site employees), and, with the proximity to McDonald's, it is likely that there will be pedestrian traffic between the two developments (and possibly with whatever is built on the parcel to be created to the north of McDonald's). Although the proposed congregate care facility is not a mixed-use development per se, it would contribute to the mixed-use character of this area.

In addition, the Housing element of the Comprehensive Plan notes the need for senior housing to accommodate the County's aging population, stating that there is no housing in the County, other than Rainbrook Villas, specifically designed for older residents. The plan states that "(m)any older Americans are physically able to remain in homes where they have lived for many years, but those with limited retirement income and diminishing strength often have difficulty coping with housing expenses and household demands. Townhouses, duplexes, and condominiums help to meet the needs of these residents. While some older people welcome the new lifestyle that such units offer, and some need special nursing care, most are capable of leading independent lives with limited support services." The proposed development would help to address this growing need.

5. Senior housing developments typically generate much less traffic per unit than do other types of residential development. According to the Institute of Transportation Engineers (ITE) Trip Generation manual (6<sup>th</sup> edition), a 118-unit congregate care facility can be expected to generate approximately 254 vehicle trips per day, including 7 in the AM peak hour and 20 in the PM peak hour. This is fewer trips than would be generated by virtually any commercial use that would be permitted as a matter of right, including an office building of equal size. The low traffic generation of the proposed use is an important consideration because of the limited capacity of the intersection that will serve the development. The existing entrance and the entrance directly across the street align with the median break on Fort Eustis Boulevard, forming an unsignalized four-way intersection. The proximity of this intersection to

the signalized intersection of Routes 17 and 105, combined with the heavy volume of traffic along this segment of Route 105 and the high number of turning movements, cause congestion in this area, especially during the peak hours. These problems will likely increase with the eventual development of the 13.2 acres of GB-zoned land on the south side of Route 105 (including the 1-acre former Exxon site, an undeveloped 1-acre out-parcel, and 11.2 undeveloped acres); currently, since the Exxon gas station in the southwest quadrant closed, the only businesses using this intersection are the McDonald's restaurant and the Yorktown Animal Hospital.

6. Whereas commercial development typically generates tax revenues that exceed the cost of public services they require, residential development is generally considered to have a negative fiscal impact. Therefore, it is important to examine the revenue and service impacts of any proposed residential use in a commercial zoning district. The applicant estimates the land and construction cost associated with the development to be approximately \$10 million, yielding \$86,000 in annual real estate tax revenue. In addition, an estimated \$24,000 in annual business personal property tax revenue would also be generated. By comparison, a typical Class B office building of equal size would likely generate an estimated \$35,000-\$40,000 in annual real property tax revenue. With regard to public services, developers of age-restricted and age-targeted housing typically tout the low service impact of such housing, particularly with regard to schools. While it is true that senior housing facilities do not directly increase school enrollment, they may *indirectly* increase enrollment, at least in the short term, by making it easier and more attractive for older citizens (so-called "empty nesters") in the County to sell their homes to younger families that do have school-age children. The developer has indicated, based on its marketing strategy and history with other senior housing projects, that the vast majority of residents will likely be people who already live in York County, so most of any indirect enrollment impacts would be felt in the County.

It should also be noted that there are other public service costs associated with residential development besides education, including recreation, library service, and, most significantly, fire and emergency medical service (EMS). The County operates a Senior Center (currently located in leased space in the Washington Square Shopping Center) and senior citizen programs at a cost of approximately \$200,000 in FY2003. Another \$1.5 million is programmed in FY2006 in the County's Six-Year Capital Improvements Program for construction of a new 10,000-square foot Senior Center facility. The proximity of the site to the York County library on Route 17 makes it likely that residents of the congregate care facility will utilize this service. Fire and emergency medical service (EMS) also must be considered, especially since the age of the residents (80 years old, on average, according to the applicant) increases the likelihood of medical emergencies. However, to the extent that future residents of the facility are already York County residents as the applicant maintains, I believe the incremental increase in public service demands associated with the proposed development would not have significant budget implications. For these reasons, I believe the net fiscal impact of this facility, unlike most residential developments, would be positive.

7. Emergency service issues were a topic of much discussion by the Senior Housing Study Committee during its deliberations on the senior housing text amendments. During those deliberations, the Fire Chief expressed concerns about emergency evacuations that might be necessary at senior housing facilities and the manpower that would be needed to assist those residents with limited mobility; although this concern pertains more to assisted living and continuing care retirement communities than to congregate care or independent living facilities, it remains a concern. Accordingly, with respect to this particular application, the Department of Fire and Life Safety has indicated that the building will have to be equipped with an approved fire suppression system, underground vault, post indicator valve, and fire department connection. In addition, the site plan will need to be modified to show the location of fire lanes.
8. Proposed indoor recreational amenities include an exercise room, a TV room, lounges, a crafts room, and a multi-purpose room. Outdoor facilities consist of a walking trail, partially covered patio, and gazebo. The conceptual plan depicts approximately six acres of open space, much of which would be accessible via the walking trail. The County's Parks and Recreation Manager has reviewed the plan and is of the opinion that the number and type of recreational facilities is appropriate to the size and type of development proposed.
9. The subject parcel lies within the Watershed Management and Protection Area (WMP) Overlay District. Accordingly, any proposed development of the property will be subject to the provisions set forth in Section 24.1-376 of the Zoning Ordinance, which are intended to ensure protection of watersheds surrounding public water supply reservoirs. The developer will be required to submit an impact study addressing measures for controlling both the quality and quantity of stormwater runoff. The developer will also need to provide on-site stormwater management, most likely through the construction of a stormwater retention pond. In addition, because of jurisdictional non-tidal wetlands on the property, the developer will need to get the necessary permits from the Army Corps of Engineers and/or the Virginia Department of Environmental Quality.

#### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission considered this application at its September 10 meeting and, subsequent to conducting a public hearing at which only the applicant spoke, voted 6:0 (Mr. Davis abstaining) to recommend approval.

#### **COUNTY ADMINISTRATOR RECOMMENDATION**

The Zoning Ordinance establishes 62 as the minimum resident age threshold for age-restricted senior housing. According to the U.S. Census, there were 6,484 York County residents who were at least 62 years old in 2000. This age group, which currently constitutes 11.5% of the population, will grow significantly in the years ahead as life expectancy increases and the "baby boom" generation, the youngest members of which will turn 62 in 2008, reaches the senior years. York County's housing stock does not specifically address the special housing needs of this growing sector of the population.

The Comprehensive Plan recognizes this need, and the Board recognized this need in recent months when it reviewed and approved the Zoning Ordinance text amendments for senior housing. The proposed congregate care facility would be compatible with surrounding development and, although it would be a primarily residential development in an area that the Comprehensive Plan designates for commercial development, it has the advantages of a positive fiscal impact and relatively low traffic generation in a location with access limitations. For these reasons, I recommend that the Board approve this application subject to the conditions contained in proposed Resolution No. R03-169.

Carter/3337:TCC

Attachments

- Excerpts of Planning Commission minutes, September 10, 2003
- Zoning Map
- Conceptual Master Plan
- Conceptual Landscape Plan
- Architectural Rendering
- Project narrative submitted by the applicant
- Supplemental information submitted by the applicant
- Proposed Resolution No. R03-169